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2 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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4 Application Serial No.10/817,389
5 Filing Date April 2, 2004
6 Inventorship Nguyen et al.
7 Applicant Rambus Inc.
8 Group Art Unit2817
9 Examiner Choe, Henry
10 Attorney's Docket No.RB1-030USC2
11 Title: Collective Automatic Gain Control

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12 **REPLY TO RESTRICTION IN AN**
13 **OFFICE ACTION DATED (MAILED) 08/30/2004**

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16 To: Mail Stop Amendment
17 Commissioner for Patents
18 P.O. Box 1450
19 Alexandria, VA 22313-1450

20 From: Keith W. Saunders (Tel. 509-324-9256, ext. 238; Fax 509-323-8979)
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ELECTION OF SPECIES REQUIREMENT FROM OFFICE ACTION

The Office Action averred that the Application contains the following patentably distinct species of the claimed invention:

<u>"Species</u>	<u>Figure(s):</u>
I	4, 5
II	6
III	9
IV	10
V	11
VI	13"

The Office Action continued, "Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable."

ELECTION OF SPECIES

In accordance with the stipulations and requirements of the Office Action, the Applicants elect Species IV, which is designated as being represented by Figure 10, with traverse.

For purposes of this election, it is submitted that claims 1-30 correspond to (e.g., read on) at least Species IV/Figure 10. Of these elected claims, claims 1, 9, 15, and 22 are independent.

It is noted that Applicants expressly reserve the right (i) to add existing and/or new claims back into the Application (including, but not limited to, if/when a generic claim is allowed) and (ii) to further argue the propriety of this election of species requirement subsequently during prosecution.

It is also noted that no single claim of the elected claims necessarily has most, much less all, of the elements and aspects that are illustrated in Figure 10 and/or described in the Application with reference to Figure 10. Likewise, individual ones of the elected claims may also find support in other Figures and/or in other parts of the Specification.

TRAVERSAL

It is respectfully submitted that the election requirement and the species enumerated in the Office Action are inappropriate.

First, subject matter overlap exists between the enumerated species. For example, element 76 "Group Detect" of Figure 10 (which is designated Species IV) may be realized in certain implementations using multiple elements 54 "Detect" as illustrated in Figure 6 (which is designated Species II).

Secondly, it is respectfully submitted that multiple claims correspond to more than one of the enumerated species. For example, claim 9 corresponds to at least Figures 6, 9, 10, and 13, which are designated as representing Species II, III, IV, and VI, respectively.

CONCLUSION

For the reasons presented above in the traversal of the election requirement, it is respectfully requested (i) that the election requirement be withdrawn and/or (ii) that claims 1-30 be examined in the current application.

Furthermore, it is respectfully submitted that claims 1-30 are allowable, and prompt action to that end is hereby requested.

Respectfully Submitted,

Dated: 10/21/2004

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